IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 35052 of 1997

Between:

Shaik Ansari, S/o Buli Mastan,
r/o Main road, Eluru
West Godavari District

..... PETITIONER

AND

1 Deputy Transport Commissioner & Secretary,
Regional Transport Authority West Govdavari District
Eluru
2 Transport Commisioner
Hyderabad Andhra Pradesh
3 Joint Transport Commissioner & Secretary State Transport Authority
Hyderabad Andhra Pradesh
(The case against R3 is dismissed for default vide court order dt:11/9/2000)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or direction, declaring the action of the 1st Respondent in not permitting the petitioner to alter the seating capacity of the Vehicle of the petitioner bearing Chasis No.385 003 LSQ 950 241 and Engine No. 483 DL41 LSQ 821 017 as a Motor Cab as illegal, arbitrary, contrary to law and further direct the 1st Respondent to permit the petitioner to operate the said vehicle as a Motor Cab with a seating capacity of ' 7 ' in all by assigning Registration Mark while directing the 3rd Respondent herein to issue an All India Tourist permit to the said Vehicle;

Counsel for the Petitioner:MR.E.MARUTHI RAJA

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following :

ORDER :

It is represented that the questions involved in this Writ Petition are covered by a decision of a Division Bench of our High Court in a case of ***O. Gangadhar Vs. Transport Commissioner,*** in W.P.No. 20335 of 1999 and Batch.

In view of the same, the Writ Petition is hereby dismissed as being covered by the aforesaid decision. No order as to costs.

P.S. Narayana, J.

31st December, 2004.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Deputy Transport Commissioner & Secretary,
   Regional Transport Authority, West Govdavari District
   Eluru
2. Transport Commisioner,
   Hyderabad Andhra Pradesh
3. Joint Transport Commissioner & Secretary State Transport Authority
   Hyderabad Andhra Pradesh
   (The case against R3 is dismissed for default vide court order dt:11/9/2000)

4. 2CCs to G.P. for Transport, High Court Buildings, Hyderabad (OUT)

5. 2CD copies

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

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W.P.No. 35052 OF 1997

31st December, 2004